IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21047 of 2008
TARKESHWAR YADAV & ANR
Versus
STATE OF BIHAR
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3. 17.09.2008 Heard learned counsel for the petitioner and the State.

It is submitted that the victim himself is the complainant alleging the offences under Section 364(A) of the Indian Penal Code against the petitioners. However, on the next very day of the alleged occurrence, the father of the victim Khalil Ansari lodged an FIR against unknown. The police after investigation submitted charge sheet against the other accused persons and not against the petitioners. It is further submitted that the said case arising out of FIR which was filed by the father of the complainant is pending for trial.

Considering the submissions as made above, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioners, namely, Tarkeshwar Yadav and Hakim Yadav be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Ist Class, Bettiah, West Champaran in connection with complaint case no. 74-C of 2002 corresponding to Trial No. 1603 of 2007 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Jagdish/- **(Shailesh Kumar Sinha,J.)**